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FILED

DEC -6 2006

MB
RICHARD M. WICKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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11
12 UNITED STATES OF AMERICA, } CR NO. 05-00734 RMW RSS
13 Plaintiff, }
14 vs. } JOINT STIPULATION AND [REPROPOSED]
15 OSCAR MARTINEZ, } ORDER CONTINUING BAIL REVIEW
16 Defendant. } HEARING
17

18 Defendant Oscar Martinez, through his attorney, and the United States, through its
19 attorney, hereby stipulate and agree and move the Court to continue the bail review hearing of the
20 defendant from its current date of December 13, 2006 to a new date of February 8, 2007 at 9:30
21 a.m. The reason for the continuance is that Mr. Martinez is currently out of the country and
22 cannot appear on December 13; efforts are being made to arrange for his return and appearance
23 before the Court. Furthermore, the parties have asked that Mr. Martinez's sentencing be
24 scheduled for February 5, and if Mr. Martinez appears for that sentencing, the bail review hearing
25 may become moot.

26 Dated: December 5, 2006 Respectfully submitted,

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28 /s/ Mark D. Eibert

STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING, U.S. V. OSCAR MARTINEZ, CR NO. 05-00734

MARK D. EIBERT
Attorney for Defendant Oscar Martinez

Respectfully submitted,

/s/ Mark Krotoski

MARK KROTOSKI
Attorney for the Government

ORDER

Good cause appearing therefore, it is hereby ORDERED that the bail review hearing for defendant Oscar Martinez shall be continued until February 8 at 9:30 a.m.

Dated: December 6, 2006

UNITED STATES MAGISTRATE JUDGE